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C O N F I D E N T I A L SECTION 01 OF 04 BOGOTA 003361

SIPDIS

E.O. 12958: DECL: 04/07/2020

TAGS: [PHUM](#) [PTER](#) [CO](#)

SUBJECT: INTERNATIONAL DELEGATION VISITS SAN JOSE DE APARTADO

REF: A. BOGOTA 3224

[1](#)B. BOGOTA 2674

[1](#)C. BOGOTA 2619

[1](#)D. BOGOTA 2348

[1](#)E. BOGOTA 2156

[1](#)F. BOGOTA 1999

[1](#)G. BOGOTA 1918

Classified By: Ambassador William B. Wood Reasons 1.4 (b) & (d)

Summary

1.(C) On April 6, representatives of the Embassies of the United States, United Kingdom, Canada, France, Holland, Spain, Switzerland, and Sweden along with a representative of the European Commission, and the Deputy Directors of the Bogota offices of the United Nations High Commissioner for Human Rights (UNHCHR) and the United Nations High Commissioner for Refugees (UNHCR) traveled to Apartado for meetings with the peace community, local police officials and the 17th Brigade. Peace community leaders reiterated to international representatives that they would not speak to GOC civilian investigators about the February 21 massacre until previous cases of human rights violations against the peace community had been solved. Local police officials and the 17th Brigade told representatives that they wanted to work with the peace community and hoped a dialogue could begin. End summary.

"La Holandita"

[1](#)2. (U) On April 6, representatives of the Embassies of the United States (DCM and PolOff), United Kingdom, Canada, France, Holland, Spain, Switzerland, and Sweden along with a representative of the European Commission, and the Deputy Directors of the Bogota offices of the United Nations High Commissioner for Human Rights (UNHCHR) and the United Nations High Commissioner for Refugees (UNHCR) traveled to Apartado for meetings with peace community members, local police officials and the 17th Brigade. The trip was organized by a group of international NGOs that included Peace Brigades International (PBI), the Fellowship of Reconciliation (FOR) and the Project Counseling Service (PCS).

[1](#)3. (SBU) Upon arrival in Apartado, the delegation, with considerable security support from both the 17th Brigade and the local police, drove first to "La Holandita" or "San Josecito", the area peace community families displaced to when the police entered San Jose de Apartado on April 2. "La Holandita" is located 10 minutes south (walking distance) of the peace community of San Jose de Apartado and just a few feet from the main road. The peace community representatives claimed 80 families were living there. The members of the peace community are in the process of building rudimentary shelters, five completed so far, with materials they were given by a Dutch NGO (most likely Pax Christi) approximately 16 years ago. The two communal shelters, which house the kitchens and a meeting room, consist only of a tin roof held up by wooden beams. They have kitchen appliances, such as liquid propane gas (LPG) stoves. There are no bathrooms built, so residents use a nearby river. Peace community members told us the water source is an underground spring. The community uses a hose to retrieve the water from this spring. The remaining three shelters, assumed to be the sleeping quarters, have walls which rise three quarters of the way up to the roof. The community has one cell phone, which is wired to an antenna for reception. Livestock and dogs wander throughout the settlement.

[1](#)4. (C) Upon arrival to "La Holandita", delegates were led to one of the communal areas, where they were joined by about 50 members of the peace community, representatives of FOR and PBI, and the regional Human Rights Ombudsman ("Defensor del Pueblo") for a nearly three hour meeting. Four members of the "Internal Council", the governing body of the community, addressed the international representatives. The Internal Council members reiterated that, although they had all the evidence and witnesses to prove the military committed the February 21 massacre, they would not talk to any government investigators until the previous 156 cases of grave human rights violations committed against the community were

solved. When asked specifically what conditions the community would accept to present evidence, community leaders avoided the question and instead described cases where the military allegedly stole money, chickens and other foodstuffs and mistreated community members. The representative from the French Embassy said the community had to testify if this case was to be solved. He noted that he did not believe the military would commit a crime of this gravity particularly after all the training the international community had provided it. He added that, if the witnesses never testified, this case would join the dozens of others that remain unresolved.

15. (C) The representative from UNHCR, Fabio Varelli, observed that the shelters constructed in the new community looked very temporary. The leaders responded that they want to return to San Jose de Apartado, but would not do so until the police presence was removed. They considered themselves "internally displaced," as a result of government actions. However, they said they had no plans to register as internally displaced persons (IDPs) with the Red de Solidaridad (RSS) to receive assistance. The leaders added that they had spoken with the Vice President's office about a police presence previously, but had wanted it on the road halfway between Apartado and San Jose de Apartado, which the community leaders felt would have been adequate protection, particularly from paramilitaries coming up from Apartado. The road, however, is a steep gravel road and it is unlikely a police station in that location would have any impact.

16. (U) Community leaders said they would continue their dialogue with the Defensoria and the Inspector General's Office ("Procuraduria"). In response to a question on their relationship with the Procuraduria, leaders said they did not have a lot of contact with the office, but had met with representatives a few weeks prior in Bogota. The regional Defensor del Pueblo, Daniel Sastoque, said the Defensoria would continue its presence in the community and would work to increase the number of visits. The community leaders said FARC presence in the area was "fairly strong" but they did not have any contact with the group. They also noted the importance of remembering that 20 of the over 150 grave violations that have occurred against the community were committed by the FARC.

17. (C) Peace community leaders concluded the meeting with a number of proposals. They asked the international community to pressure the GOC to remove the police presence from San Jose de Apartado. The British DCM, on behalf of the delegation, said it was not the place of the international community to issue that request. The community also asked the United Nations to write a report on the massacre, similar to the one written on the 2002 massacre in Bojaya, Choco Department. The leaders then requested the international community ask the GOC to request that the UN issue such a report. The community's final proposal was that the GOC's investigative commission, formed in 2001 with representatives of the Prosecutor General's Office ("Fiscalia"), Procuraduria, Defensoria, Vice President's Office and a UN representative, be re-formed. This request came after the community leaders complained about the failure of the investigative commission to come to any results in previous cases before it disbanded in 2002.

The Police in San Jose de Apartado

18. (C) The delegation then traveled the short distance north to San Jose de Apartado. Many of the buildings, previously used by the peace community, are boarded and locked up, although at least three small "bodegas" selling drinks and snacks have opened since the last time Poloffs visited. Half of the original population of the town reportedly remains in San Jose, although there were not many townspeople on the streets. The police presence in San Jose de Apartado is noticeable, with officers walking around the community. The delegation was told the force consists of 55 officers (in Colombia, the Police use the formulation of 1 officer for every 50 inhabitants), many of them from Medellin and other surrounding areas. There is not yet a building dedicated as the police station.

19. (C) The delegation met with Captain Milton Lopez, the commander of the recently installed police station, and Lieutenant Colonel Ruben Dario Clavijo, based in Apartado. LTC Clavijo noted that, before the permanent police presence arrived in San Jose, a team from Bogota, made up of a sociologist, psychologist, social worker, and the sub-director of the Colombian National Police, came to San Jose to open communication channels with the community. Captain Lopez said the community has endured a great deal of violence in its eight years and the fear of its members was understandable. However, the police wanted to show the community that they were there to help, protect and guarantee the rights of the people in the town. He noted that the FARC

and the paramilitaries, both equally illegal, operate in the area and it is the obligation and the duty of the police to pursue and capture them. Captain Lopez added that the work of the police force in San Jose would be to cover the entire area surrounding the town and that they would begin to expand their presence, most likely in the next couple of months, although the timing would depend on various factors, including the community. Captain Lopez also described briefly the improvements officials hoped to bring to the town. For example, the mayor of Apartado was in San Jose the day the police arrived and promised remaining residents he would put in new phone lines (the peace community had allowed only one phone line which they controlled in the town) and send a registered nurse for the hospital.

10. (C) Captain Lopez said he wanted to work with the peace community and hoped they would return to San Jose. He added that the "doors were always open" to begin a dialogue. The representative from the European Commission was concerned that the government had not reached an agreement with the community on the police presence before they arrived on April 2, which is part of the resolution adopted by the Inter-American Court. Local police reiterated that discussions with high level members of the GOC and the community had occurred, but they were not privy to the discussions.

Meeting with 17th Brigade

11. (C) In its final meeting, the delegation met with Brigadier General Fandino, Commander of the 17th Brigade, Colonel Moreno, head of the police in the region, and various members of their staffs. BG Fandino said the job of his brigade is to protect civilians and the military is fully collaborating with the Fiscalía in its investigation of the February 21 massacre. He added that the peace community has not formally accused the Brigade of this crime in the Fiscalía, but based on the unofficial information that has circulated, the Brigade also conducted its own internal investigation. Based on this, he reiterated that there were no troops in the area the day of the massacre. BG Fandino also noted the military has issued its own formal accusation against Gloria Cuartas, former mayor of Apartado, Father Javier Giraldo, the "Corporacion Juridica Libertad" (the community's NGO based in Medellin), and the leaders of the community to the Fiscalía for slander committed against the Brigade. If the Fiscalía follows up on the charge, this might force the peace community to deal with the police or Fiscalía or force a confrontation with undesirable consequences.

12. (C) BG Fandino said both the paramilitaries and FARC operate in the area around San Jose de Apartado and this activity led to the death of two soldiers in 2004 and 13 wounded by landmines. In 2003, the 17th Brigade suffered the loss of 11 men, three sub-officials and eight soldiers. BG Fandino alluded to the fact the military has been portrayed by the peace community as the enemy, but he stressed that that is not true: the Brigade wants to work with the community. However, he added that only select members of the community are allowed to speak to the Brigade, so the Brigade does not know the views of the majority of the community. He noted the support the army has from the general public (83 percent) and said in 2004, as an example of this, 16 individuals turned themselves over to the 17th Brigade to join the reinsertion program. In fact, Fandino said, other communities in the Uraba region have requested the presence of soldiers in their area.

13. (C) Police Captain Moreno said the military and police are actively pursuing all illegal groups in the area. He noted the importance of remembering the police officer killed protecting the investigative commission and the many others who have died protecting civilians. On the issue of the community agreeing to the police presence, Moreno said the community had been in discussions with Colonel Novoa, director of the human rights office of the National Police, for seven months prior discussing security measures for the community. Moreno reiterated the security forces wanted to be part of the solution.

Comment

14. (C) The continued refusal of the peace community to speak with government investigators is causing frustration among the diplomatic community who want to work with both sides on the case. There is a clear recognition, that without the testimony of witnesses the peace community says they have, the investigation will stall. However, the willingness expressed by both officials from the local police and the 17th Brigade to work with the community is a positive sign.

WOOD